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To: 'microsoft.atr(a)usdoj.gov'
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Subject: Settlement

I work in IT for SeaRiver Maritime, Inc. We are a part of Exxon/Mobil. I have worked in IT since 1976. Back then I was able to read virtually all of the information that came out about it every month. It would be one thing if this current situation were benign (like CISCO) but this is only the latest in a series of offenses that have set the IT industry back time and time again.

There is a pattern here. Not only one of theft, intimidation and ignoring the Courts, but one of more emphasis on 'hype' than reality. Virtually 100% of the viruses that have hit the world in the past 5 years have taken advantage of the same few security flaws in Microsoft products. Look at the huge dollar losses because of the poor quality of the product. This is not "Innovation", this is pursuit of profit at all cost. If Microsoft is so 'good' why not fix the problem?

I realize that Microsoft is a large company and that it will be difficult to provide any judgement that is satisfactory to every one involved. This is not the first time Microsoft has been in court for this, if the company is not broken up it will probably not be the last.

If this court is 'soft' on Microsoft, the industry as a whole will continue to suffer (sales are down now because there are no significant new features in the new products) and the average citizen may believe that the financial ability of Microsoft to contribute to political causes may be the real reason behind the judgement.

I believe that the decision must be something that Microsoft considers 'harsh'.

The real question is, "Is Microsoft so big that our laws no longer apply?" You have to decide.

This situation has led to one that I believe is even more serious and contributes to the 'digital divide'. The Microsoft philosophy of "ship it and we will fix it with Service Packs" has produced a similar philosophy in virtually all of the current PC hardware and software vendors; virtually no product works 'out of the box'. No matter what you buy, you immediately have to download a 'patch' from the Internet. These patches are usually equal in size to the software that came with the device and sometimes they are even larger. This has produced a PC that requires a high-speed Internet connection or a payment to a consultant to make it usable. This is a passive form of discrimination as only those who can afford \$50 per month can keep their home computer running.

Software and Hardware should work as it is shipped. The IT industry can do this, they have chosen not to partly because they have watched Microsoft get away with it year after year. (Of course, this ignores the basic premise of the suit that those who can least afford to pay software prices that have been inflated by a monopoly are forced to pay too much to even get a computer.)

This is a very disturbing trend. A computer should be viewed like an automobile; it should not require frequent trips to the 'garage' to keep it running. Real Innovation, in my opinion, should be able to provide this to us. The PC has been turned into something that provides a constant source of income for 'insiders', not a reliable product for consumers. Should the 'digital divide' be allowed to get worse? You have to decide.

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